

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JACK ALLEN WILSON,

Plaintiff,

v.

JEANNE WOODFORD, et al.,

Defendants.

CASE NO. 1:05-CV-00560-OWW-SMS-P

ORDER FINDING SERVICE OF COMPLAINT  
APPROPRIATE AND FORWARDING  
SERVICE DOCUMENTS TO PLAINTIFF FOR  
COMPLETION AND RETURN

(Doc. 1)

Plaintiff Jack Allen Wilson ("Plaintiff") is a former state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.<sup>1</sup> Plaintiff filed this action on April 26, 2005. The Court has screened Plaintiff's complaint pursuant to 28 U.S.C. § 1915A and finds that it states cognizable claims for relief under 42 U.S.C. § 1983 against Defendants Woodford, Doe 1, Corcoran, Wu, Kyle, Divine, Brooks, Suryadevara, and Martinez for acting with deliberate indifference to Plaintiff's serious medical needs, in violation of the Eighth Amendment.<sup>2</sup> Fed. R. Civ. P. 8(a); Swierkiewicz v. Sorema N. A., 534 U.S. 506, 512-15 (2002); Austin v. Terhune, 367 F.3d 1167, 1171 (9th Cir. 2004); Jackson v. Carey, 353 F.3d 750, 754 (9th Cir. 2003); Galbraith v. County of Santa Clara, 307 F.3d 1119, 1125-26 (9th Cir. 2002).

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<sup>1</sup> Plaintiff also alleges tort claims under California law.

<sup>2</sup> In a Findings and Recommendations issued concurrently with this order, the Court recommended that Plaintiff's ADA and RA claims be dismissed from this action for failure to state any claims upon which relief may be granted.

Accordingly, it is HEREBY ORDERED that:

1. Service is appropriate for the following defendants:<sup>3</sup>

JEANNE WOODFORD

LANCE CORCORAN

DR. SHU PIN WU

DR. DAVID KYLE

M. DIVINE

BROOKS

DR. S. SURYADEVARA

G. MARTINEZ

2. The Clerk of the Court shall send Plaintiff eight (8) USM-285 forms, eight (8) summonses, a Notice of Submission of Documents form, an instruction sheet and a copy of the complaint filed April 26, 2005.

3. Within **thirty (30) days** from the date of this order, Plaintiff shall complete the attached Notice of Submission of Documents and submit the completed Notice to the court with the following documents:

a. Completed summons;

b. One completed USM-285 form for each defendant listed above; and

c. Nine (9) copies of the endorsed complaint filed April 26, 2005.

4. Plaintiff need not attempt service on Defendants and need not request waiver of service. Upon receipt of the above-described documents, the Court will direct the United States Marshal to serve the above-named defendants pursuant to Federal Rule of Civil Procedure 4 without payment of costs.

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<sup>3</sup> The Marshal cannot initiate service on a Doe defendant. Once Plaintiff identifies Doe I, he shall notify the Court.

**Dated:** March 23, 2006  
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